

JOURNAL OF THE HOUSE

NINETY-FIRST SESSION

TWENTY-SECOND DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, February 17, 2016

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker Pro tempore presiding.

The prayer was offered by the Chaplain, Larry Cass, followed by the Pledge of Allegiance led by House page Miranda Anderson.

Roll Call: All members present except Rep. Kaiser who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twenty-first day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Dean Wink, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1024 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1047 and returns the same with the recommendation that said bill be amended as follows:

1047na

On page 1, line 4, of the printed bill, delete "two" and insert "one".

On page 1, line 5, delete "\$2,974,502)" and insert "\$1,974,502)".

And that as so amended said bill do pass.

Respectfully submitted,
Justin R. Cronin, Co-Chair

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1209 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1238 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1161 and returns the same with the recommendation that said bill be amended as follows:

1 1161rb

2 On page 2, line 17, of the printed bill, delete "and".

3 On page 2, line 18, after "company" insert "; and

4 (6) Any federal agricultural mortgage corporation or any entity chartered or operating
5 under the Farm Credit Act of 1971".

6 On page 7, line 1, of the printed bill, delete everything after "license" .

7 On page 7, delete line 2.

8 On page 7, line 3, delete everything before ". The licensee" .

9 On page 8, line 6, after "lending" insert ", or consumer lines of credit".

10 On page 9, line 17, delete "twenty-four" and insert "two hundred".

11 On page 10, line 9, after "on-site" insert "or off-site".

12 On page 10, line 9, delete "The".

13 On page 10, delete lines 10 and 11.

14 On page 10, line 12, delete everything before "The" .

15 On page 11, line 1, delete "and".

16 On page 11, line 3, before "." insert "; and

17 (8) A statement for each billing cycle that clearly shows how long it will take to pay off
18 the balance owed and the total cost to the consumer if the consumer only pays the
19 three percent minimum payment required in section 10 of this Act"

20 On page 11, line 5, after "." insert "A violation of this section is a Class 2 misdemeanor."

21 On page 12, line 9, delete "two" and insert "three".

22 On page 14, line 22, after "54-4" insert ", unless the licensee is in the business of lending
23 money as defined in chapter 54-4".

24 And that as so amended said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on State Affairs respectfully reports that it has had under consideration
3 HB 1233 which was deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Brian G. Gosch, Chair

6 Also MR. SPEAKER:

7 The Committee on Education respectfully reports that it has had under consideration SB 63
8 and returns the same with the recommendation that said bill do pass.

9 Also MR. SPEAKER:

10 The Committee on Education respectfully reports that it has had under consideration SB 8
11 and returns the same with the recommendation that said bill do pass and be placed on the
12 consent calendar.

13 Also MR. SPEAKER:

14 The Committee on Education respectfully reports that it has had under consideration
15 HB 1215 which was deferred to the 41st Legislative Day.

16 Respectfully submitted,
17 Jacqueline Sly, Chair

18 Also MR. SPEAKER:

19 The Committee on Commerce and Energy respectfully reports that it has had under
20 consideration HB 1126 which was tabled.

21 Also MR. SPEAKER:

22 The Committee on Commerce and Energy respectfully reports that it has had under
23 consideration HB 1122, 1217, and 1229 which were deferred to the 41st Legislative Day.

24 Respectfully submitted,
25 Tim Rounds, Chair

1 Also MR. SPEAKER:

2 The Committee on Judiciary respectfully reports that it has had under consideration
3 HB 1244 and returns the same with the recommendation that said bill do pass.

4 Also MR. SPEAKER:

5 The Committee on Judiciary respectfully reports that it has had under consideration
6 HB 1132 and returns the same with the recommendation that said bill be amended as follows:

7 1132rd

8 On page 3, line 17, of the printed bill, delete everything after "." .

9 On page 3, delete line 18.

10 And that as so amended said bill do pass.

11 Also MR. SPEAKER:

12 The Committee on Judiciary respectfully reports that it has had under consideration
13 HB 1133 and returns the same with the recommendation that said bill be amended as follows:

14 1133ya

15 On page 1, line 7, of the printed bill, delete "South Dakota" and insert "validated".

16 On page 1, line 8, overstrike "A" and insert "Information from any risk assessment relative
17 to bond or conditions of release shall be provided to a".

18 On page 1, line 9, delete everything after "court" and insert "~~shall determine~~ when".

19 1133ra

20 On page 1, line 8, of the printed bill, delete "and the State's Attorney".

21 And that as so amended said bill do pass.

22 Also MR. SPEAKER:

23 The Committee on Judiciary respectfully reports that it has had under consideration
24 HB 1167 and returns the same with the recommendation that said bill be amended as follows:

1167yb

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 23A-27-13 be amended to read:

23A-27-13. Upon receiving a verdict or plea of guilty for a ~~misdemeanor~~ or felony not punishable by death or life imprisonment by a person never before convicted of a crime which at the time of conviction thereof would constitute a felony in this state, a court having jurisdiction of the defendant, if satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may, without entering a judgment of guilt, and with the consent of the defendant, suspend the imposition of sentence and place the defendant on probation for such period and upon such terms and conditions as the court may deem best. No person who has previously been granted, whether in this state or any other, a suspended imposition of sentence for a felony, is eligible to be granted a second suspended imposition of sentence for a felony. A court may revoke such suspension at any time during the probationary period and impose and execute sentence without diminishment or credit for any of the probationary period.

Section 2. That the code be amended by adding a NEW SECTION to read:

Upon receiving a verdict or plea of guilty for a misdemeanor, a court having jurisdiction of the defendant, if satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may, without entering a judgment of guilt, and with the consent of the defendant, suspend the imposition of sentence and place the defendant on probation for such period and upon such terms and conditions as the court may deem best. No person who has previously been granted, whether in this state or any other, a suspended imposition of sentence for a misdemeanor, is eligible to be granted a second suspended imposition of sentence for a misdemeanor. A court may revoke such suspension at any time during the probationary period and impose and execute sentence without diminishment or credit for any of the probationary period."

And that as so amended said bill do pass.

Also MR. SPEAKER:

The Committee on Judiciary respectfully reports that it has had under consideration HB 1243 and returns the same with the recommendation that said bill be amended as follows:

1243ya

On page 2, after line 1 of the printed bill, insert:

" Section 2. That chapter 22-21 be amended by adding a NEW SECTION to read:

Nothing in this Act shall be construed to impose liability on a provider of an electronic communication service, an information service, a mobile service, including a commercial

1 mobile service, a telecommunication service, an interactive computer service, or a cable service
2 as those terms are defined under federal law."

3 1243ra

4 On page 1, line 5, of the printed bill, after "disseminate" insert ", including electronically,".

5 On page 1, line 7, after "clothing," insert "or with another person depicted in a sexual
6 manner,".

7 On page 1, line 10, delete everything after "." .

8 On page 1, delete lines 11 and 12.

9 On page 1, line 13, delete everything before "A" .

10 1243rb

11 On the previously adopted amendment (1243ra), in the first instruction, delete ", including
12 electronically," and insert "in any form"

13 And that as so amended said bill do pass.

14 Also MR. SPEAKER:

15 The Committee on Judiciary respectfully reports that it has had under consideration
16 HB 1171 which was deferred to the 41st Legislative Day.

17 Respectfully submitted,
18 G. Mark Mickelson, Chair

19 **MESSAGES FROM THE SENATE**

20 MR. SPEAKER:

21 I have the honor to return herewith HB 1008, 1059, 1098, and 1210 which have passed the
22 Senate without change.

1 Also MR. SPEAKER:

2 I have the honor to return herewith HCR 1011 and 1012 in which the Senate has concurred.

3 Also MR. SPEAKER:

4 I have the honor to transmit herewith SB 98 and 136 which have passed the Senate and
5 your favorable consideration is respectfully requested.

6 Respectfully,
7 Kay Johnson, Secretary

8 **CONSIDERATION OF REPORTS OF COMMITTEES**

9 Rep. Gosch moved that the reports of the Standing Committees on

10 Taxation on HB 1204 as found on page 390 of the House Journal; also

11 Taxation on HB 1177 as found on page 391 of the House Journal; also

12 Agriculture and Natural Resources on HB 1206 as found on page 393 of the House Journal
13 be adopted.

14 Which motion prevailed.

15 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

16 SB 98: FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions
17 regarding pork production.

18 Was read the first time and referred to the Committee on Agriculture and Natural
19 Resources.

20 SB 136: FOR AN ACT ENTITLED, An Act to permit certain cropland along lakes, rivers,
21 and streams to be assessed as noncropland.

22 Was read the first time and referred to the Committee on Agriculture and Natural
23 Resources.

1 **SECOND READING OF CONSENT CALENDAR ITEMS**

2 SB 7: FOR AN ACT ENTITLED, An Act to revise the composition of the state trunk
3 highway system.

4 Was read the second time.

5 The question being "Shall SB 7 pass?"

6 And the roll being called:

7 Yeas 69, Nays 0, Excused 1, Absent 0

8 Yeas:

9 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
10 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
11 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
12 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
13 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
14 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish;
15 Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra;
16 Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

17 Excused:

18 Kaiser

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the bill passed and the title was agreed to.

21 SB 85: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
22 motorcycle license plates.

23 Was read the second time.

24 The question being "Shall SB 85 pass as amended?"

25 And the roll being called:

26 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
5 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra;
9 Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

10 Excused:

11 Kaiser

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

15 HB 1094: FOR AN ACT ENTITLED, An Act to increase the commercial fertilizer
16 inspection fee for purposes of fertilizer-related research and education and to create the Nutrient
17 Research and Education Council to promote such research and education.

18 Having had its second reading was up for consideration and final passage.

19 The question being "Shall HB 1094 pass as amended?"

20 And the roll being called:

21 Yeas 67, Nays 2, Excused 1, Absent 0

22 Yeas:

23 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
24 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
25 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
26 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
27 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
28 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Sly; Soli;
29 Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
30 Wollmann; Zikmund; Speaker Wink

31 Nays:

32 Russell; Schrempp

33 Excused:

34 Kaiser

1 So the bill having received an affirmative vote of a two-thirds majority of the members-
2 elect, the Speaker declared the bill passed and the title was agreed to.

3 HB 1127: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning road
4 districts.

5 Was read the second time.

6 Rep. Westra moved that HB 1127 be deferred to Monday, February 22, the 25th legislative
7 day.

8 Which motion prevailed.

9 HB 1169: FOR AN ACT ENTITLED, An Act to allow a school district to operate an
10 attendance center within another school district.

11 Having had its second reading was up for consideration and final passage.

12 Rep. Gosch moved that HB 1169 be deferred to Monday, February 22, the 25th legislative
13 day.

14 Which motion prevailed.

15 Speaker Wink now presiding.

16 HB 1213: FOR AN ACT ENTITLED, An Act to create the new frontiers program to
17 support innovative research by South Dakota companies.

18 Having had its second reading was up for consideration and final passage.

19 The question being "Shall HB 1213 pass?"

20 And the roll being called:

21 Yeas 66, Nays 3, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Haggar (Don); Harrison; Hawks;
4 Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer;
5 Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson; Munsterman;
6 Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen; Ring;
7 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
8 Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;
9 Zikmund; Speaker Wink

10 Nays:

11 Greenfield (Lana); Haugaard; Verchio

12 Excused:

13 Kaiser

14 So the bill having received an affirmative vote of a two-thirds majority of the members-
15 elect, the Speaker declared the bill passed and the title was agreed to.

16 Speaker Pro tempore Mickelson now presiding.

17 HB 1116: FOR AN ACT ENTITLED, An Act to authorize municipalities to impose an
18 additional sales and use tax for a limited period of time for a specified use.

19 Having had its second reading was up for consideration and final passage.

20 Rep. Cronin moved that HB 1116 be deferred to Monday, February 22, the 25th legislative
21 day.

22 Which motion prevailed.

23 HB 1141: FOR AN ACT ENTITLED, An Act to license persons offering applied behavior
24 analysis services to the public.

25 Was read the second time.

26 1141cc

27 Rep. Bartling moved that HB 1141 be amended as follows:

28 On page 4, line 14, of the House Health and Human Services Committee engrossed bill,
29 after "analyst" insert "provided that the services are supervised in accordance with the
30 requirements of the national Behavior Analyst Certification Board, Inc".

1 On page 6, line 5, delete "used" and insert "increased".

2 Which motion prevailed.

3 The question being "Shall HB 1141 pass as amended?"

4 And the roll being called:

5 Yeas 68, Nays 1, Excused 1, Absent 0

6 Yeas:

7 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
8 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
9 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
10 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Marty; May; McCleerey; Mickelson;
11 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;
12 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
13 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
14 Wollmann; Zikmund; Speaker Wink

15 Nays:

16 Latterell

17 Excused:

18 Kaiser

19 So the bill having received an affirmative vote of a two-thirds majority of the members-
20 elect, the Speaker declared the bill passed and the title was agreed to.

21 HB 1201: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act
22 for fiscal year 2016, make an appropriation for teen court programs in South Dakota, and to
23 declare an emergency.

24 Was read the second time.

25 The question being "Shall HB 1201 pass as amended?"

26 And the roll being called:

27 Yeas 68, Nays 1, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
5 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp;
8 Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
9 Willadsen; Wollmann; Zikmund; Speaker Wink

10 Nays:

11 Russell

12 Excused:

13 Kaiser

14 So the bill having received an affirmative vote of a two-thirds majority of the members-
15 elect, the Speaker declared the bill passed and the title was agreed to.

16 HB 1179: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
17 exemption of certain boats from the excise tax on large boats.

18 Was read the second time.

19 The question being "Shall HB 1179 pass?"

20 And the roll being called:

21 Yeas 55, Nays 14, Excused 1, Absent 0

22 Yeas:

23 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Deutsch;
24 DiSanto; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don); Harrison;
25 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Johns; Killer; Kirschman; Klumb;
26 Langer; Latterell; May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman);
27 Peterson (Kent); Qualm; Rasmussen; Ring; Rozum; Russell; Schoenbeck; Schrempp; Sly; Soli;
28 Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Wollmann; Zikmund; Speaker Wink

29 Nays:

30 Cronin; Dryden; Hunhoff (Jean); Hunt; Jensen (Alex); Marty; Partridge; Romkema; Rounds;
31 Schaefer; Schoenfish; Steinhauer; Verchio; Willadsen

32 Excused:

33 Kaiser

34 So the bill having received an affirmative vote of a majority of the members-elect, the
35 Speaker declared the bill passed and the title was agreed to.

HB 1007: FOR AN ACT ENTITLED, An Act to make an appropriation to revise and update the values and methods used to determine the agricultural land production capacity and to declare an emergency.

Was read the second time.

1007fb

Rep. Duvall moved that HB 1007 be amended as follows:

On page 1, line 6, of the printed bill, delete "South" and insert "the Department of Revenue for the purpose of contracting with South Dakota State University to conduct research".

On page 1, delete line 7.

On page 1, line 8, delete "value and".

On page 1, line 10, delete "president of South Dakota State University" and insert "secretary of the Department of Revenue".

Which motion prevailed.

The question being "Shall HB 1007 pass as amended?"

And the roll being called:

Yeas 59, Nays 10, Excused 1, Absent 0

Yeas:

Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Peterson (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

Nays:

Cronin; Haugaard; Latterell; Marty; May; Partridge; Russell; Schaefer; Verchio; Werner

Excused:

Kaiser

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the bill passed.

1 The question being on the title.

2 1007fta

3 Rep. Peterson moved that the title to HB 1007 be amended as follows:

4 On page 1, line 1, of the printed bill, delete "values" and insert "data".

5 Which motion prevailed and the title was so amended.

6 HB 1180: FOR AN ACT ENTITLED, An Act to limit the terms of certain conservation
7 easements.

8 Was read the second time.

9 Rep. Westra moved the previous question.

10 Which motion prevailed.

11 The question being "Shall HB 1180 pass?"

12 And the roll being called:

13 Yeas 23, Nays 46, Excused 1, Absent 0

14 Yeas:

15 Bolin; Brunner; Campbell; DiSanto; Haggar (Don); Haugaard; Holmes; Hunt; Klumb; Latterell;
16 Marty; McCleerey; Novstrup (Al); Qualm; Russell; Schaefer; Schrempp; Solum; Stalzer;
17 Verchio; Werner; Wiik; Speaker Wink

18 Nays:

19 Anderson; Bartling; Beal; Bordeaux; Conzet; Craig; Cronin; Deutsch; Dryden; Duvall; Feickert;
20 Gibson; Gosch; Greenfield (Lana); Harrison; Hawks; Hawley; Heinemann (Leslie); Hunhoff
21 (Jean); Jensen (Alex); Johns; Killer; Kirschman; Langer; May; Mickelson; Munsterman; Otten
22 (Herman); Partridge; Peterson (Kent); Rasmussen; Ring; Romkema; Rounds; Rozum;
23 Schoenbeck; Schoenfish; Sly; Soli; Steinhauer; Stevens; Tulson; Westra; Willadsen; Wollmann;
24 Zikmund

25 Excused:

26 Kaiser

27 So the bill not having received an affirmative vote of a majority of the members-elect, the
28 Speaker declared the bill lost.

1 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

2 SB 27: FOR AN ACT ENTITLED, An Act to revise certain personnel requirements for
3 ambulance services and to repeal the hardship exemption.

4 Was read the second time.

5 The question being "Shall SB 27 pass?"

6 And the roll being called:

7 Yeas 69, Nays 0, Excused 1, Absent 0

8 Yeas:

9 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
10 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);
11 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
12 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
13 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
14 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish;
15 Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra;
16 Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

17 Excused:

18 Kaiser

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the bill passed and the title was agreed to.

21 Rep. Gosch moved that SB 28 and 2 be placed to follow SB 103 on today's calendar.

22 Which motion prevailed.

23 SB 12: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to sell certain
24 extraneous real property in Brookings County and to deposit the proceeds with the state
25 treasurer to be credited to a fund designated as the real property acquisition and capital
26 improvement fund for South Dakota State University.

27 Was read the second time.

28 The question being "Shall SB 12 pass as amended?"

29 And the roll being called:

30 Yeas 65, Nays 2, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch;
3 DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don); Harrison;
4 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
5 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
6 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;
7 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
8 Soli; Stalzer; Steinhauer; Stevens; Tulson; Werner; Wiik; Willadsen; Wollmann; Zikmund;
9 Speaker Wink

10 Nays:

11 Verchio; Westra

12 Excused:

13 Beal; Kaiser; Solum

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill passed and the title was agreed to.

16 SB 13: FOR AN ACT ENTITLED, An Act to establish a new retirement benefit structure
17 for certain public employees who are members of the South Dakota Retirement System.

18 Was read the second time.

19 The question being "Shall SB 13 pass?"

20 And the roll being called:

21 Yeas 68, Nays 0, Excused 2, Absent 0

22 Yeas:

23 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
24 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
25 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
26 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
27 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
28 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
29 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
30 Wollmann; Zikmund; Speaker Wink

31 Excused:

32 Kaiser; Schoenbeck

33 So the bill having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the bill passed and the title was agreed to.

1 SB 15: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the
2 membership of the South Dakota Investment Council.

3 Was read the second time.

4 The question being "Shall SB 15 pass?"

5 And the roll being called:

6 Yeas 68, Nays 0, Excused 2, Absent 0

7 Yeas:

8 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
9 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
10 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
11 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
12 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
13 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
14 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
15 Wollmann; Zikmund; Speaker Wink

16 Excused:

17 Kaiser; Schoenbeck

18 So the bill having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the bill passed and the title was agreed to.

20 SB 103: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to transfer
21 certain real property to South Dakota State University Growth Partnership, Ltd. For research
22 park purposes.

23 Was read the second time.

24 The question being "Shall SB 103 pass?"

25 And the roll being called:

26 Yeas 67, Nays 1, Excused 2, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
5 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
8 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen;
9 Wollmann; Zikmund; Speaker Wink

10 Nays:

11 Verchio

12 Excused:

13 Kaiser; Schoenbeck

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill passed and the title was agreed to.

16 SB 28: FOR AN ACT ENTITLED, An Act to require meningococcal immunization for
17 school entry.

18 Was read the second time.

19 Rep. Gosch moved the previous question.

20 Which motion prevailed.

21 The question being "Shall SB 28 pass?"

22 And the roll being called:

23 Yeas 42, Nays 25, Excused 3, Absent 0

24 Yeas:

25 Anderson; Bartling; Beal; Bordeaux; Conzet; Craig; Cronin; Dryden; Duvall; Feickert; Gibson;
26 Hawks; Holmes; Hunhoff (Jean); Jensen (Alex); Johns; Killer; Kirschman; McCleerey;
27 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Ring;
28 Romkema; Rounds; Rozum; Schoenfish; Sly; Soli; Solum; Steinhauer; Stevens; Tulson;
29 Werner; Westra; Willadsen; Wollmann; Zikmund; Speaker Wink

30 Nays:

31 Bolin; Brunner; Campbell; Deutsch; DiSanto; Gosch; Greenfield (Lana); Hagggar (Don);
32 Harrison; Haugaard; Heinemann (Leslie); Hunt; Klumb; Langer; Latterell; Marty; May; Qualm;
33 Rasmussen; Russell; Schaefer; Schrempp; Stalzer; Verchio; Wiik

23 HB 1008: FOR AN ACT ENTITLED, An Act to restrict access to certain restrooms and
24 locker rooms in public schools.

1 HB 1059: FOR AN ACT ENTITLED, An Act to revise provisions related to the
2 garnishment of debts and property.

3 HB 1098: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
4 exemption of motor vehicles from the motor vehicle excise tax.

5 HB 1210: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding on-
6 sale alcoholic beverage licenses for municipal auditoriums and convention halls and to declare
7 an emergency.

8 And signed the same in the presence of the House.

9 Speaker Pro tempore Mickelson now presiding.

10 Rep. Anderson moved that the House do now adjourn, which motion prevailed and at
11 4:41 p.m. the House adjourned.

12 Arlene Kvislen, Chief Clerk